

ENTERED

July 16, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS**

CITGO PETROLEUM CORP.,

Plaintiff,

v.

PETROLEUM LOGISTICS SERVICE
CORP., and PAUL M. COWAN, IN HIS
CAPACITY AS THE CURATOR OF
THE ESTATE OF JOSE MANUEL
GONZALEZ TESTINO,

Defendants.

Civil Case No. 4:20-cv-01820

Jury Trial Demanded

ORDER

Having considered Petitioner CITGO Petroleum Corp.’s (“CITGO”) *Motion For Default Judgment Against Defendants*, it is this 16th day of July 2024, hereby:

ORDERED, that CITGO’s *Motion For Default Judgment Against Defendants* is **GRANTED**; it is

FURTHER ORDERED that a default judgment is entered in CITGO’s favor against Defendant Petroleum Logistics Service Corp. (“PLS”) and Defendant Paul M. Cowan, as the curator of the estate of Jose Manuel Gonzalez Testino (“Testino”); it is

FURTHER ORDERED that PLS is liable to CITGO for \$84,807,340.97 in compensatory damages for PLS’s breaches of contract and fraud; it is

FURTHER ORDERED that PLS and Cowan, as the curator of Testino's estate, are jointly and severally liable to CITGO for the above-referenced \$84,807,340.97 in compensatory damages on account of PLS and Testino's violations of the RICO statute; it is

FURTHER ORDERED that the compensatory damages for the violations of the RICO statute are trebled under RICO to \$254,422,022.91, and that PLS and Cowan, as the curator of Testino's estate, are jointly and severally liable to CITGO for those damages; it is


FURTHER ORDERED that PLS and Cowan, as the curator of the estate of Testino, are jointly and severally liable to CITGO for \$89,288,189.10 in prejudgment interest on the trebled RICO damages; and it is

FURTHER ORDERED that PLS and Cowan, as the curator of the estate of Testino, are jointly and severally ordered to pay post-judgment interest to CITGO on the entire monetary judgment at the rate specified in 28 U.S.C. § 1961 and accruing from the date this Court enters judgment.

July 16, 2024

Date

SO ORDERED.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Under Federal Rule of Civil Procedure 5(a)(2), “[n]o service is required on a party who is in default for failing to appear.” Defendant PLS failed to appear, and the Clerk of the District Court entered default on January 22, 2021. ECF No. 31. As such, CITGO will not be serving this Proposed Order on PLS. In accordance with Federal Rule of Civil Procedure 5, CITGO will mail this Proposed Order to the following address for Cowan:

Paul M. Cowan & Associates, P.A.
Oak Park Professional Center
8925 SW 148th St., Ste. 100
Palmetto Bay, FL 33176-8000

Dated: July 11, 2024

/s/ Andrew English

Andrew English

(Signed by permission of Attorney-in-Charge)

DC Bar No. 1021498 (*pro hac vice*)

Michael J. Gottlieb

Robert J. Meyer

Nicholas Reddick

Willkie Farr & Gallagher LLP

1875 K Street, N.W.

Washington, D.C. 20006

Tel: (202) 303-1000 | Fax: (202) 303-2000

Jennifer Hardy, Attorney-in-Charge

Texas Bar No. 24096068

Southern District of Texas Bar No. 2828253

Willkie Farr & Gallagher LLP

600 Travis Street

Houston, TX 77002

Tel: (713) 510-1766 | Fax: (713) 510-1799

JHardy2@willkie.com

Attorneys for Plaintiff CITGO Petroleum Corporation